

ORIGINAL FILED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

NOV - 9 2004

LARRY W. PROPPES, CLERK
U. S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

GEORGE SCOTT
PHYLLIS SCOTT

CR. NO.

6:04-1015

18 U.S.C. § 922(a)(1)(A)

18 U.S.C. § 924(a)(1)(D)

18 U.S.C. § 922(d)(1)

18 U.S.C. § 924(a)(2)

18 U.S.C. § 924(d)(1)

18 U.S.C. § 2

28 U.S.C. § 2461(c)

INDICTMENT

COUNT 1

THE GRAND JURY CHARGES:

That from in or about January 1997, through in or about August 2004, in the District of South Carolina, the Defendants, **GEORGE SCOTT** and **PHYLLIS SCOTT**, not being licensed importers, licensed manufacturers, or licensed dealers, did unlawfully, willfully and knowingly engage in the business of dealing in firearms, and did aid and abet each other in the commission of the aforesaid offense;

In violation of Title 18, United States Code, Sections 922(a)(1)(A), 924(a)(1)(D), and 2.

COUNT 2

THE GRAND JURY FURTHER CHARGES:

That on or about September 17, 2003, in the District of South Carolina, the Defendant, **GEORGE SCOTT**, knowingly sold firearms, that is, a Taurus 9mm caliber pistol; a Llama .380 caliber pistol; and a Full Metal Jacket .45 caliber pistol, to a person known to the Grand Jury, knowing and having reasonable cause to believe that this individual had been convicted of a crime punishable by imprisonment for a term exceeding one year;

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT 3

THE GRAND JURY FURTHER CHARGES:

That on or about October 2, 2003, in the District of South Carolina, the Defendant, **GEORGE SCOTT**, knowingly sold firearms, that is, a Taurus 9mm caliber pistol and a Ruger .44 caliber revolver, to a person known to the Grand Jury, knowing and having reasonable cause to believe that this individual had been convicted of a crime punishable by imprisonment for a term exceeding one year;

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT 4

THE GRAND JURY FURTHER CHARGES:

That on or about October 16, 2003, in the District of South Carolina, the Defendant, **GEORGE SCOTT**, knowingly sold firearms, that is, a Taurus 9mm caliber pistol; a Ruger .44 caliber revolver; a Ruger .22 caliber revolver; a Taurus .357 caliber revolver; and a High Standard .22 caliber derringer, to a person known to the Grand Jury, knowing and having reasonable cause to believe that this individual had been convicted of a crime punishable by imprisonment for a term exceeding one year;

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT 5

THE GRAND JURY FURTHER CHARGES:

That on or about November 20, 2003, in the District of South Carolina, the Defendant, **GEORGE SCOTT**, knowingly sold firearms, that is, a Taurus 9mm caliber pistol and a Ruger 9mm caliber pistol, to a person known to the Grand Jury, knowing and having reasonable cause to believe that this individual had been convicted of a crime punishable by imprisonment for a term exceeding one year;

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT 6

THE GRAND JURY FURTHER CHARGES:

That on or about January 7, 2004, in the District of South Carolina, the Defendant, **GEORGE SCOTT**, knowingly sold firearms, that is, a Buddie Arms Company .22 caliber derringer; a Raven Arms .25 caliber pistol; a Bersa .380 caliber pistol; and an Intratec 9mm caliber pistol, to a person known to the Grand Jury, knowing and having reasonable cause to believe that this individual had been convicted of a crime punishable by imprisonment for a term exceeding one year;

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT 7

THE GRAND JURY FURTHER CHARGES:

That on or about March 5, 2004, in the District of South Carolina, the Defendant, **GEORGE SCOTT**, knowingly sold a firearm, that is, a Universal Arms Corporation .30 caliber rifle, to a person known to the Grand Jury, knowing and having reasonable cause to believe that this individual had been convicted of a crime punishable by imprisonment for a term exceeding one year;

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

COUNT 8

THE GRAND JURY FURTHER CHARGES:

That on or about May 27, 2004, in the District of South Carolina, the Defendant, **GEORGE SCOTT**, knowingly sold a firearm, that is, an Intratec 9mm caliber pistol, to a person known to the Grand Jury, knowing and having reasonable cause to believe that this individual had been convicted of a crime punishable by imprisonment for a term exceeding one year;

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2).

NOTICE OF SPECIAL FINDINGS

THE GRAND JURY FURTHER FINDS:

(1) As to said Count 1, charging unlawful dealing of firearms, a violation of Title 18, United States Code, Section 922(a)(1)(A):

(A) The offense involved three or more firearms, specifically involved 25-99 firearms [United States Sentencing Guidelines Section 2K2.1(b)(1)(C) and accompanying Application Notes].

(2) As to said Counts 2 through 8, charging sale of a firearm(s) to a known convicted felon, a violation of Title 18, United States Code, Section 922(d)(1):

(A) The offense involved three or more firearms, specifically involved 8-24 firearms [United States Sentencing Guidelines Section 2K2.1(b)(1)(B) and accompanying Application Notes].

FORFEITURE

Upon conviction for violating Title 18, United States Code, Sections 922(a)(1)(A) and 922(d)(1) as charged in Counts 1 through 8 of this Indictment, the Defendants, **GEORGE SCOTT** and **PHYLLIS SCOTT**, shall forfeit to the United States their interest in any firearm(s) and/or ammunition involved in or used in the offense, including, but not limited to, the following:

1. Smith & Wesson .40 caliber pistol, model 4046, s/n THE7519
2. Glock 9mm caliber pistol, model 17, s/n AAU424
3. Smith & Wesson 9mm caliber pistol, model 410, s/n VLN9495
4. Smith Manufacturing .22 caliber pistol, model 22A, s/n UAS3061
5. Ruger 9mm caliber pistol, model P95DC, s/n 311-86689
6. Ruger .40 caliber pistol, model P94DC, s/n 340-49360
7. Glock .40 caliber pistol, model 27, s/n CKP650
8. Glock 9mm caliber pistol, model 19, s/n BVS385
9. Star, Bonifacio Echevaerria 9mm caliber pistol, model Ultra Star, s/n 2127145
10. Glock 9mm caliber pistol, model 17, s/n ARP856
11. Marlin .30 caliber rifle, model 336, s/n 24032138
12. Smith & Wesson 9mm caliber pistol, model SW9VE, s/n PBE4339
13. RG Industries .22 caliber revolver, model RG14, s/n 314778
14. Smith & Wesson .38 caliber revolver, model 36, s/n J27359
15. RG Industries .38 caliber revolver, model 63, s/n 15004
16. Remington Arms Co. .22 caliber rifle, model 522, s/n 222257
17. Remington Arms Co. .410 caliber shotgun, model 870, s/n B743250H
18. North China Industries .762 caliber assault rifle, model MAK-90 Sportster, s/n 9409096
19. Springfield Arms Co. .410 caliber rifle, model 1929, s/n Unknown
20. Boito/ER Amantino/IGA .12 caliber shotgun, model OU-12, s/n 19010
21. Marlin .35 caliber rifle, model 336, s/n 23169958
22. Armi Tecniche de Emilio Rizzini .12 caliber shotgun, model D Sturdy, s/n 88242
23. Intratec 9mm caliber assault pistol, model TEC 9, s/n E000102
24. Universal Arms Corp. .30 caliber rifle, model M-1, s/n 450396
25. Intratec 9mm caliber assault pistol, model TEC 9, s/n 067213
26. Bersa .380 caliber pistol, model 383-A, s/n 270416
27. Raven Arms .25 caliber pistol, model MP-25, s/n 1255975
28. Buddie Arms Co. .22 caliber derringer, model Double Deuce, s/n 12063
29. Ruger 9mm caliber pistol, model P95, s/n 314-95199
30. Taurus 9mm caliber pistol, model PT 99 AF 9MM Para, s/n T11143205
31. High Standard .22 caliber derringer, model Derringer, s/n D35484
32. Taurus .357 caliber revolver, model Magnum, s/n SH56486
33. Ruger .44 caliber revolver, model Red Hawk, s/n 500-78287
34. Ruger .22 caliber revolver, model Single Six, s/n 262-94034
35. Taurus 9mm caliber pistol, model PT 92 AF, s/n THE28105
36. Taurus 9mm caliber pistol, model PT 111, s/n TUJ96121
37. Ruger .44 caliber revolver, model Redhawk, s/n 501-82186
38. Llama .380 caliber pistol, model E2, s/n A78846

39. Full Metal Jacket .45 caliber pistol, model D, s/n A00058798
40. Taurus 9mm caliber pistol, model PT 92 AF, s/n TIJ96607
41. Taurus .44 caliber revolver, model 431, s/n NK144880
42. Taurus .38 caliber revolver, model 7129, s/n DE81924
43. 11 rounds of .44 caliber ammunition
44. 16 rounds of .38 caliber ammunition
45. 66 rounds of 9mm caliber ammunition
46. 58 rounds of .22 caliber ammunition
47. 15 rounds of .30 caliber ammunition
48. 10 rounds of .40 caliber ammunition
49. 131 rounds of .762 caliber ammunition
50. 5 rounds of .357 caliber ammunition
51. 2 rounds of .12 caliber ammunition
52. 1238 rounds of miscellaneous ammunition

Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

A True Bill

/s/ Barry N. Lentz
Foreperson

/s/ J. Strom Thurmond, Jr.
J. STROM THURMOND, JR. (EJH/twd)
United States Attorney